April X, 2019

The Honorable Lindsey Graham The Honorable Dianne Feinstein

Chairman Ranking Member

Committee on the Judiciary Committee on the Judiciary

United States Senate United States Senate

Washington, DC 20510 Washington, DC 20510

Dear Chairman Graham and Ranking Member Feinstein:

We the undersigned California environmental groups write today in strong opposition to the nominations of Daniel Bress, Daniel Collins, and Kenneth Lee to the United States Court of Appeals for the Ninth Circuit, and urge the Senate Judiciary Committee to reject their nominations.

The Ninth Circuit Court of Appeals hears appeals for California and eight over states, covering one-fifth our nation’s population and that majority of our public lands, coastline, and endangered species. The cases heard in this court have a signification impact on the ability to protect our air, water, lands, public, health, climate, and so much more. That’s why it is crucial that the court remains fair-minded and independent, and that those nominated to serve on the bench represent all of us, not just the corporate elite.

Californians deserve to be fairly represented on the Ninth Circuit, and the decision of the Trump Administration not to meaningfully consult California Senators Dianne Feinstein and Kamala Harris in the selection of these nominees raises serious concerns about the thoroughness and legitimacy of the selection process. Additionally, the decision by Republican leadership of the Senate Judiciary Committee to move forward with these nominations over the objection of both of our Senators demonstrates the

We also have significant concerns about the records of these nominees, and their ability to rule fairly on the impact environmental issues that face our state. Daniel Collins spent years defending the fossil fuel industry, including against accusations of polluting the lands and waterways of indigenous communities in Peru. He also defended against lawsuits seeking to hold these oil and gas corporations liable for their contributions to climate change, and repeatedly represented companies accused of discrimination and human rights violations. Kenneth Lee has taken a variety of extreme and offensive stances in his legal writings that would discredit his objectivity in reviewing environmental cases, including criticizing class action lawsuits “lawyer-manufactured lawsuits in which there has been no real harm to the consumers,” and dismissing the serious issue of disproportionate pollution in communities of color. Finally, Daniel Bress is a corporate attorney who has not lived or practiced law in California in over a decade.

For these reasons, we urge to Judiciary Committee to reject these nominations, and call on the Trump administration to work with Senators Feinstein and Harris to select fair-minded nominees for these seats in a bipartisan manner.

Sincerely,

XXXXX